

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT A CROW,

Petitioner,

v.

ALICE PAYNE,

Respondent.

Case No. C04-5775FDB

ORDER

This 28 U.S.C. § 2254 petition for habeas corpus relief has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. The petitioner attempted to file a 235 page long petition in this case. The court refused to allow that petition to be filed. Petitioner was directed to file an amended petition, but he claims he did not receive that order. A Report and Recommendation to dismiss was entered and petitioner objected. The District Court Judge rejected the Report and Recommendation and directed petitioner to file an amended petition by May 27th, 2005.

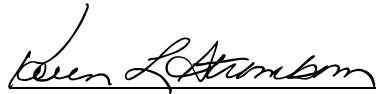
Petitioner has appealed the order directing him to file an amended petition to the Ninth Circuit. (Dkt. # 19). He now seeks an extension of time to file the amended petition. (Dkt. # 20).

ORDER- 1

1 The filing of the notice of appeal divests this court of jurisdiction. The court will not
2 consider any motions until the appeal is over and the case is returned to this court.

3 The clerk is directed to send a copy of this order to petitioner and remove Docket number 20
4 from the court's calendar. Petitioner may re-file his motion or re-note the motion after the case is
5 returned to this court.

6
7 DATED this 5th day of July, 2005.

8
9 

10 Karen L. Strombom
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27